

Message Text

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ACTION EB-07

INFO OCT-01 EA-06 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOT-00 INR-07 NSAE-00 FAA-00 L-02 SS-15 NSC-05 PA-01

PRS-01 USIA-06 /053 W

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P 280905Z MAR 75

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC PRIORITY 8996

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E.O. 11652: N/A

TAGS: EAIR, JA

SUBJECT: CIVAIR - PAN AM COMPLAINT RE JCAB ACTION ON PROPOSED
CBIT FARE

1. ON MARCH 28 LOCAL PAN AM REP MACDONALD RAISED ISSUE OF FILING BY
PAN AM (AND APPARENTLY NORTHWEST) OF CONTRACT BULK
INCLUSIVE TOUR (CBIT) RATE FROM JAPAN TO U.S. POINTS EXCEPT
GUAM AND JCAB REACTION TO FILING WITH EMBASSY.
FACTS AS PRESENTED BY MACDONALD AS FOLLOWS: PAN AM FILED
PROPOSED RATE, WHICH HAS BEEN APPROVED BY IATA, WITH JCAB
FEB. 28. PROCEDURE UNDER U.S.-JAPAN BILATERAL IS THAT
JCAB SHOULD ADVISE OF ANY OBJECTIONS WITHIN 15 DAYS,
WITH ADDITIONAL 15 DAYS LEFT TO WORK OUT DIFFERENCES
BETWEEN CARRIER AND JCAB. HOWEVER, JCAB (NAKAMURA) RESPONSE
NOT MADE UNTIL MAR. 28, WHEN IT ADVISED PAN AM THAT IT
OBJECTED TO PROPOSED RATE AS CREATING UNREASONABLE
COMPETITIVE SITUATION AND SUGGESTED THAT JAL, NW AND PAN
AM DISCUSS MUTUALLY AGREEABLE RATE AND REPORT TO JCAB
BY APRIL 30.

2. MACDONALD STATES FOREGOING TOTALLY UNACCEPTABLE TO
PAN AM BECAUSE IT CONTRARY TO PROCEDURES PROVIDED IN
BILATERAL, PROBABLY CONTRARY TO U.S. ANTRUST REGULATIONS
AND WOULD PERPETUATE PRESENT UNSATISFACTORY SITUATION
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(I.E. REBATING BY COMPETITORS IN ABSENCE OF ENFORCEMENT

ACTION BY JCAB). PURPOSE OF PAN AM'S PROPOSAL IS TO MAKE
RATE CORRESPOND REALISTICALLY TO THE MARKET WHILE ALLOWING
ALL CARRIERS TO ACHIEVE REASONABLE PROFIT.

3. WHEN EMBASSY, AT PAN AM'S REQUEST, QUERIED JCAB EARLIER
IN DAY RE STATUS ITS CONSIDERATION OF PAN AM'S PROPOSED
RATE, NAKAMURA STATED HE DID NOT CONSIDER PROPOSED FARE TO
BE QTE DESIRABLE UNQTE AND INQUIRED RE POSITION OF USG.
EMBASSY REPLIED IT HAD NO INSTRUCTIONS ON ISSUE.

4. MACDONALD ASSUMES PAN AM IN U.S. WILL APPROACH
WASHINGTON AGENCIES FOR SUPPORT IN THIS MATTER.

5. ACTION REQUESTED: EMBASSY WOULD APPRECIATE GUIDANCE/
INSTRUCTIONS.
SHOESMITH

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Message Attributes

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